

REMARKS/ARGUMENTS

The present amendment cancels previously pending claims 1-7. Entry of this amendment is respectfully requested. This amendment is provided to focus the discussion in connection with this case, and it is respectfully submitted that the remaining claims 21 and 23-27, which are pending in this case are in condition for allowance, as will be discussed in more detail below.

It should be noted that the cancellation of the previously pending claims is done without prejudice to the filing of a continuation application, or a request for continued examination, which would reinstate the previously pending claims. It is respectfully noted that the basis for the rejection of many of the previously pending claims (e.g. claims 1 and 4) was based on at least a partial misreading of the elements of these claims. For example, page 3 of the 11/17/05 Office Action quotes specific language which is purportedly from claim 1 and claim 4, but the quoted language, was actually deleted from these claims in a previous amendment filed in this case. Specifically, the 11/17/05 Office Action states that in part that:

“It is worth noting that the following limitations do not carry patentable weight:
‘said customer facing utility systems being adapted to communicate with customer systems’ (e.g. claim 1); and
‘each of said street side systems being adapted to communicate with street systems’ (e.g. claim 4).”

11/17/05 Office Action, p. 3 (emphasis added). The language shown above, which is purportedly quoting claim 1 and claim 4, was actually deleted from the respective claims, and significantly different language was added to each of the claims in the previous amendment filed in connection with this application. See, Response to Office Action Mailed June 2, 2005 (filed w/ USPTO Aug. 16, 2005).

Given that claims 1-7 are canceled the discussion provided below will focus on the remaining pending claims 21 and 23-27.

Rejection of Claims 21 and 23-27

The pending independent claim 21 was rejected as being anticipated by Wiecha (US 5,870,717). 11/17/05 Office Action, pp. 2-3. It is respectfully that as will be discussed in more

detail below, the method in Wiecha is very different than the method recited by independent claim 21.

Wiecha describes a system for reducing the amount of labor required in corporate supply purchasing programs. The system of Wiecha provides for an employee selecting items for an electronic catalog, and submitting an order for approval and processing. The processing is done so as to avoid a paper approval and manual verification process. The system of Wiecha uses an employee's personal computer, and a computer network which links the enterprise to the suppliers of the items selected for purchase. Wiecha, Abstract.

The discussion in the 11/17/05 Office Action in connection with the Wiecha reference makes reference to numerous passages of the Wiecha reference. At a very general level many of these various passages appear to relate to some aspect of the employee supply ordering process. It is respectfully submitted, however, that a careful review of the Wiecha reference shows that a number of significant elements of claim 21 are not disclosed in the teaching of Wiecha.

For example, Claim 21 recites a method which includes providing a plurality of customer facing utility systems, and providing a plurality of sets of customer facing data, where each customer facing utility has a corresponding set of customer data. It is respectfully submitted that the teaching of Wiecha does not appear to show this type of method of providing a plurality of client facing utility systems, and providing each system with a corresponding set of client facing data. It is respectfully submitted that this type of process, which provides for a number client customer facing utility systems is very different than the teaching of Wiecha. More specific discussion regarding elements of Wiecha is provided below.

Additionally, it should be noted that claim 21 further provides for writing a transaction request to a first set of customer facing data, and then replicating said transaction request record to each of the plurality sets of customer facing data. It is respectfully submitted that this process is very different than that disclosed in Wiecha, in that it calls for providing for multiple client facing utility systems, and then replicating data (a transaction request) from one of the customer facing utility systems to the other customer facing utility systems. It is respectfully submitted that these elements of claim 21 do not appear to be disclosed in Wiecha, and more specifically this operation does not appear in any of the passages from Wiecha specifically cited in the 11/17/05 Office Action.

There are of course many additional elements recited by claim 21, and it appears that many of these additional elements are also not disclosed by Wiecha. For example, claim 21 also calls for providing multiple street side utility systems which operate to communicate with financial exchanges. Each of the street side utility systems are provided with a corresponding set of street side facing data. When one of the street utility systems executes a transaction request, a record of the transaction execution is created and written to the first set of street side facing data, and this record is also replicated to each of the plurality of sets of customer facing data. It is respectfully submitted, that Wiecha does not provide for this type of operation.

It is respectfully submitted that a careful review of the Wiecha reference, shows that Wiecha teaches a very different operation than the process recited in claim 21. The Examiner's attention is respectfully drawn to Fig. 7 of Wiecha which illustrates aspects of Wiecha's teaching. Fig. 7 illustrates, among other things, a client environment (123), an operations environment (125), and a seller environment (120). The discussion of the operation of the system shown in Fig. 7 shows that multiple buyers (clients) 156, interact with the order processing server 154. See, Wiecha, Fig. 7 and col. 4: line 64 – col. 5: line 10. However, there is nothing in Wiecha which would suggest providing multiple customer facing utility systems, each with a corresponding set of customer facing data, and then replicating transaction data between the multiple sets of customer facing data.

It is respectfully submitted that for at least the reasons discussed above, claim 21 is patentable over the Wiecha reference. It is further respectfully submitted that claims 23-27 depend from claim 21 and are respectfully submitted to be patentable over Wiecha for at least the same reasons as claim 21.

Conclusion

For the reasons set forth above, it is believed that all claims present in this application are patentably distinguished over the references. Therefore, reconsideration is respectfully requested, and it is requested that this application be passed to allowance.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-2001 under Order

No. SCHB-3600. A duplicate copy of the transmittal cover sheet attached to this Response is provided.

Respectfully submitted,

FARELLA BRAUN + MARTEL LLP

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By:



Brian J. Keating
Reg. No. 39,520

Attorneys for Applicant(s)